

## 16. Accessory Buildings (or Structures)

(See zoning ordinance [§ 78-202.6](#), Site Plans and [§ 78-402](#), Accessory Uses and Structures)

The Town of Herndon Zoning Ordinance User Guide series provides the public with general information on land use regulations affecting activities undertaken by the public and administered by the Herndon Department of Community Development. It is not intended to be a complete statement of all applicable regulations. Individuals are encouraged to contact the Department of Community Development at [community.development@herndon-va.gov](mailto:community.development@herndon-va.gov) or 703-787-7380 for complete permitting requirements.

### What is an Accessory Building?

Accessory buildings or structures include sheds, garages, carports, non-commercial greenhouses and other outbuildings. The zoning ordinance defines an accessory building as “a subordinate building located on the same lot as the principal building, or a portion of the principal building, the use of which is clearly incidental but customarily associated with the principal building.” In most cases, accessory buildings have different zoning provisions than principal (or primary) buildings.

### Does the Town regulate all accessory structures?

Yes, zoning provisions exist for the proper placement of an accessory structure on the site and for limiting the size of an accessory structure. As with any zoning regulation, if the provisions are not followed, the person responsible for the accessory structure may face violation proceedings and penalty fees.

### What restrictions apply to accessory structures in residential districts (other than multi-family)?

- ☐ The structure may be no taller than 15 feet, or the height of the principal structure, whichever is less.
- ☐ On any lot, the combined floor area of all detached accessory structures must be no greater than 50 percent of the area of the principal structure.
- ☐ The structure may not be located in the “setback” or “side yard” required by the zoning ordinance.
- ☐ The structure must be at least five feet from any alley line; two feet from any rear yard line or side yard line, and ten feet from the main building.
- ☐ Construction, enlargement or replacement of an accessory structure may require a Building Permit, a

Single Lot Development Plan or other approval prior to its placement. See chart below, as well as User Guide #6, *Single Lot Development*, or [§ 78-402.4\(f\)](#), *Required Approvals*.

### What restrictions apply in multi-family and non-residential districts?

- ☐ The structure may be no taller than 18 feet, or the height of the principal structure, whichever is less. A parking structure shall not exceed the height of the principal structure.
- ☐ The floor area of the structure (other than parking structures) must be no greater than 10 percent of the area of the lot on which the principal structure is located.
- ☐ The structure may not be located in a required setback, unless it is a gate house.
- ☐ The structure may not be located in any required buffer, screening or landscaped area.
- ☐ Structures located on land adjacent to existing residential development or undeveloped land in a residential zoning district shall be located not closer to the property line than a distance equivalent to the height of the accessory structure.
- ☐ Trash enclosures are accessory structures and shall be located at least 50 feet away from a lot line adjoining existing residential development or undeveloped land in a residential district.

Any development proposed within the town is subject to the town's zoning and subdivision regulations. Most development requires detailed review through a Site Plan review process. The following table indicates the level of approval needed for certain types of accessory structures.

	<b>Less than 150 Sq. Ft. in area</b>	<b>150-749 Sq. Ft. in area</b>	<b>750 + Sq. Ft. in area</b>	<b>With associated land disturbance of 2,500 + Sq. Ft.</b>
<b>Level of approval needed for accessory structures in Residential Districts (other than Multi-Family)</b>	No zoning approval needed. Must comply with zoning regulations.	Requires Building Location Survey  Requires Building Permit	Requires Single Lot Development Plan  Requires Building Permit	Requires Single Lot Development Plan

	<b>1,500 Sq. Ft. or less in area</b>	<b>1,500 + Sq. Ft. in area</b>
<b>Level of approval needed for accessory structures in Multi-Family and Non-Residential Districts</b>	Requires Minor Site Plan  Requires Building Permit	Requires Site Plan with Public Hearing  Requires review by the Architectural Review Board or the Heritage Preservation Review Board depending on location  Requires Building Permit

### Need more information?

Have a question regarding required permits, the permit process, or application requirements? Call 703-787-7380 or e-mail [community.development@herndon-va.gov](mailto:community.development@herndon-va.gov) to make an appointment to see a member of the Department of Community Development.

Have a question regarding Building Permits or construction codes? Call 703-435-6850 or e-mail [buildinginspections@herndon-va.gov](mailto:buildinginspections@herndon-va.gov) to make an appointment to see the Building Official.

Visit the Planning/Zoning page on the Town's web site [www.herndon-va.gov](http://www.herndon-va.gov) to view the Department of Community Development web site for the Zoning Ordinance User Guide series or to access the town code. Town offices are located at the Herndon Municipal Center at 777 Lynn Street, Herndon, Virginia, 20170.

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